

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA : Crim. No. 1:08-CR-00073-05
:
v. :
:
JONATHON LEE CABALLERO. : Judge Sylvia H. Rambo

ORDER

AND NOW, upon consideration of Defendant Jonathan Lee Caballero's *pro se* Motion to Vacate, Set Aside or Correct Sentence by a Person in Federal Custody under 28 U.S.C. § 2255 and counseled supplemental motion based on *United States v. Davis*, 139 S. Ct. 2319 (2019), (Docs. 439, 441), **IT IS HEREBY ORDERED THAT:**

1. Defendant's motions are **DENIED** for the reasons set forth in the Court's accompanying memorandum; and
2. There is no basis for the issuance of a certificate of appealability; and

SO ORDERED.

/s/ Sylvia H. Rambo
SYLVIA H. RAMBO
United States District Judge

Dated: March 12, 2021